Primary Information

Title: AN ACT allowing certain composting facilities and emergency natural wood waste recycling facilities as accessory uses under certain conditions in certain Zoning Districts; allowing certain natural wood waste recycling facilities and composting facilities as a use permitted as a matter of right under certain conditions in certain Zoning Districts; providing supplementary regulations for composting facilities and emergency natural wood waste recycling facilities; providing conditional use standards for composting facilities and natural wood waste recycling facilities; defining certain terms; making certain technical corrections; and generally relating to the Howard County Zoning Regulations.

Short Title: AN ACT allowing certain composting facilities and certain natural wood waste recycling facilities under certain conditions in certain Zoning Districts

Category: General

Primary Sponsors: The Chairperson at the request of the County Executive

Secondary Sponsors: Mary Kay Sigaty, Greg Fox

Status: Expired

Date Signed:

Date Enacted:

Date Vetoed:

Date Veto Overridden:

Amendments

Amendment 1

Amendment Date: 10/02/2017

Legislative Day: 13

Comments: (This amendment removes the emergency natural wood waste recycling facilities.)

Amendment 1 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 1

(This amendment removes the emergency natural wood waste recycling facilities.)

In the title:

1. In the first line, strike “emergency”;

2. In the fifth line, strike “and”; and

3. In the sixth line, strike “emergency natural wood waste recycling facilities”.

On page 15, in line 20, strike the brackets and strike “, and the emergency natural”.

On page 15, in line 21, strike “wood waste recycling category”.

On pages 17 through 18, strike in their entirety the lines beginning with line 26 on page 17 through line 29 on page 18, inclusive.

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Mary Kay Sigaty **Seconded By** : Greg Fox

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 2

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (Related to accessory uses, this amendment makes the following changes:
1. Deletes the definition for the term "composting";
2. Amends the definition of "composting facility";
3. Adds a definition for the term "natural wood waste recycling";
4. Removes certain references to composting as a permitted use in certain districts, thus preserving it as an accessory use;
5. Clarifies that natural wood waste recycling activities that do NOT require an MDE permit are permitted accessory uses.)

Amendment 2 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 2

(Related to accessory uses, this amendment makes the following changes:

1. Deletes the definition for the term "composting";

2. Amends the definition of "composting facility";

3. Adds a definition for the term "natural wood waste recycling";

4. Removes certain references to composting as a permitted use in certain districts, thus preserving it as an accessory use;

5. Clarifies that natural wood waste recycling activities that do NOT require an MDE permit are permitted accessory uses.)

In the title, in the second line, strike "facilities".

On page 2, strike lines 26 and 27, inclusive and in their entirety.

On page 2, in line 29, after "composting" insert "<u>, the controlled aerobic biological decomposition of organic waste material,</u>".

On page 3, in line 1, after "COMAR." insert "<u>Composting is allowed as an Accessory Use if a permit from the Maryland Department of the Environment is not required.</u>".

On page 3, in line 19, insert:

"Natural wood waste recycling: The manufacture of horticultural mulch from natural wood waste that does not meet the definition of a natural wood waste recycling facility."

On page 6, strike line 29 and 30, inclusive and in their entirety and substitute:

"26. Natural wood waste recycling accessory to a principal farm use.".

On page 9, strike lines 15 and 16, inclusive and in their entirety and substitute:

"25. Natural wood waste recycling accessory to principal farm use.".

On page 11, strike lines 9 and 10, inclusive and in their entirety and substitute:

"y. Natural wood waste recycling accessory to principal farm use.".

Strike "and composting" in the following instances:

1. On page 13 in line 7;
2. On page 14, in line 23; and
3. On page 15, in line 1.

On page 15, in line 1, after "facilities" insert ", Tier 3".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed as Amended

Moved By : Mary Kay Sigaty **Seconded By** : Greg Fox

Name	District	Vote
Calvin Ball	2	No
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 3

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (Related to conditional uses for Natural Wood Waste Recycling Facilities (NWWRF), this amendment:
1. Adds a definition for the term "horticultural nursery";
2. Applies Agricultural Land Preservation Program restrictions for conditional uses on Maryland Agricultural Land Preservation Foundation (MALPF) easements;
3. Provides that NWWRF must be accessory to a horticultural nursery, instead of a tree farm, tree nursery, or Christmas tree farm;
4. Provides that the use area is less than 15% of

Amendment 3 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 3

(Related to conditional uses for Natural Wood Waste Recycling Facilities (NWWRF), this amendment:

1. Adds a definition for the term "horticultural nursery";

2. Applies Agricultural Land Preservation Program restrictions for conditional uses on Maryland Agricultural Land Preservation Foundation (MALPF) easements;

3. Provides that NWWRF must be accessory to a horticultural nursery, instead of a tree farm, tree nursery, or Christmas tree farm;

4. Provides that the use area is less than 15% of the area in active production, versus the area actively farmed in trees;

5. Changes the use area from 2 acres to 1;

6. Provides that the use area cannot exceed 5% of the annual production versus 2% of the easement;

7. Prohibits NWWRFs on easements created through the cluster subdivision process;

8. Establishes a maximum use area in the RC and RR Zoning Districts of:

a. One acre; or

b. The maximum of five acres or 10% of the property for properties that abut an interstate;

9. Prohibits a composting facility conditional use to be granted with a natural wood waste recycling facility conditional use unless the property adjoins an interstate and vehicular access is within one mile of the interchange;

10. Removes proposed road frontage requirements to be consistent with item 9, above;

11. Amends setback requirements from existing dwellings from 300 feet to be 500 feet;

12. Amends setback requirements from property lines to be from residential lots and sets that distance at 300 feet; and

13. Corrects numbering.)

On page 3, in line 13, insert:

"H

Horticultural Nursery:an agricultural operation primarily engaged in the growing, harvesting and primary processing of trees, shrubs and plants. Plant material shall be grown on the premises and may be purchased elsewhere at any stage of maturity for production on the premises. Horticultural nurseries may engage in accessory uses such as storage of plant materials and sale of products necessary for the health of the nursery stock.".

On page 12, strike lines 9 and 10, inclusive and in their entirety and substitute:

"b. In addition, the following Conditional Uses which may require additional land area may be permitted on agricultural preservation easements:

(1) Agribusiness, limited to uses itemized in Section 131.0.N.

(2) Farm winery–class 2

(3) Solar Facilities, commercial

(4) Natural wood waste recycling facility if accessory to a horticultural nursery, subject to the requirements of section 131.0.O.6.

On page 28, in line 19:

1. Strike "The facility is not" and substitute "Facilities";

2. Strike "an" and substitute "a Maryland Agricultural Land Preservation Foundation Easement,"; and

3. After "easement," insert "or".

On page 28, in line 20:

1. After the first "easement" insert "not created as part of the cluster subdivision process";

2. Strike ", or other dedicated easement unless" and substitute "may be granted a conditional use only if the Natural Wood Waste Recycling facility is"; and

3. Strike "tree farm such as".

On page 28, in line 21:

1. Strike "a tree" and substitute "horticultural";

2. After "nursery" insert a period and strike "or Christmas tree farm, but excluding timber harvesting"

On page 28, in line 22:

1. Strike "operations. The" and substitute "However, the"; and

2. Strike "actively farmed in".

On page 28, strike lines 23 and 24, inclusive and in their entirety and substitute:

"in active production or a maximum of 1 acre, and on-site retail sales may not exceed 5% of the total yearly production, as reported to the Maryland Department of the Environment (MDE)."

On page 28, strike lines 28 and 29, inclusive and in their entirety and substitute:

"d. The maximum use area is 1 acre or for properties that abut an interstate, the maximum use area is 5 acres or 10% of property, whichever is less. A Natural Wood Waste Recycling facility conditional use shall not be granted to a property with an approved composting facility conditional use unless the property adjoins an Interstate and vehicular access is within 1 mile of the interchange gore area, as measured along the nearest Public road right-of-way.".

On page 29, strike lines 23 through 25, inclusive and in their entirety.

On page 29, in line 26, strike "i" and substitute "h".

On page 29, in line 28, strike "300" and substitute "500".

On page 29, in line 29, strike "property line" and substitute "a residential lot" and, in the same line, strike "200" and substitute "300".

On page 30, in line 15, strike "a" and substitute "i".

On page 30, in line 18, strike "b" and substitute "j".

On page 30, in line 21, strike "c" and substitute "k".

On page 30, in line 24, strike "d" and substitute "l".

On page 30, in line 29, strike "e" and substitute "m".

On page 31, in line 1, strike "f" and substitute "n".

On page 31, in line 5, strike "g" and substitute "o".

On page 31, in line 22, strike "h" and substitute "p".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017

Final Action: Passed as Amended

Moved By : Greg Fox

Seconded By : Mary Kay Sigaty

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 4

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment specifies that composting facilities in M-1 and M-2 districts are conditional uses if a permit from the Maryland Department of the Environment is required.)

Amendment 4 to Council Bill No. 60-2017

BY: Jennifer Terrasa Legislative Day No. 13

Date: October 2, 2017

Amendment No. 4

(This amendment specifies that composting facilities in M-1 and M-2 districts are conditional uses if a permit from the Maryland Department of the Environment is required.)

On page 13, in lines 7 and 8, strike "and composting facilities, Tier 1 and Tier 2 – Small, as defined in COMAR" and substitute "if a permit from the Maryland Department of the Environment is not required".

On page 14, delete line 23 in its entirety.

On page 24, in line 19, strike "and RR" and substitute ", RR, M-1, and M-2".

Also on page 24, beginning in line 20, strike "and in the M-1 district for tier 2 – large composting facilities,".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Jen Terrasa **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 5

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment prohibits the composting of animal mortalities in the M-1 and M-2 districts.)

Amendment 5 to Council Bill No. 60-2017

BY: Jennifer Terrasa Legislative Day No. 13

Date: October 2, 2017

Amendment No. 5

(This amendment prohibits the composting of animal mortalities in the M-1 and M-2 districts.)

On page 13, in line 8, before the period, insert "; however animal mortalities may not be composted".

On page 14, in line 23, before the period, insert "; however animal mortalities may not be composted".

On page 25, in line 21, insert "H. Animal mortalities may not be composted in the M-1 and M-2 districts.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Jen Terrasa **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 6

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment provides that in the M-1 Zoning District, natural wood waste recycling that does not require an MDE permit is a use permitted as a matter of right.)

Amendment 6 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 6

(This amendment provides that in the M-1 Zoning District, natural wood waste recycling that does not require an MDE permit is a use permitted as a matter of right.)

On page 14, in line 13, after "recycling", insert "and natural wood waste recycling".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Greg Fox **Seconded By** : Mary Kay Sigaty

Name	District	Vote
Calvin Ball	2	No
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 7

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment requires Natural Wood Waste Recycling Facilities to use specified practices.)

Amendment 7 to Council Bill No. 60-2017

BY: Jennifer Terrasa Legislative Day No. 13

Date: October 2, 2017

Amendment No. 7

(This amendment requires Natural Wood Waste Recycling Facilities to use specified practices.)

On page 14, line 13, before the period, insert "<u>, subject to section 128.0.I.11</u>".

On page 18, after line 29, insert:

"<u>F. The operator of an emergency Natural Wood Waste Recycling Facility, to the extent practical, shall:</u>

(1) <u>cover all piles in processing areas and wood waste curing areas;</u>

(2) <u>use misting during operations to control dust; and</u>

(3) <u>place all piles on an impermeable base.</u>

<u>11. Natural Wood Waste Recycling Facility</u>

<u>The operator of a Natural Wood Waste Recycling Facility shall:</u>

(1) <u>cover all piles in processing areas and wood waste curing areas;</u>

(2) <u>use misting during operations to control dust; and</u>

(3) <u>place all piles on an impermeable base.</u>".

On page 32, after line 3, insert:

"<u>I. The operator of a Natural Wood Waste Recycling Facility shall:</u>

(1) <u>cover all piles in processing areas and wood waste curing areas;</u>

(2) <u>use misting during operations to control dust; and</u>

(3) <u>place all piles on an impermeable base.</u>".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017

Final Action: Failed

Moved By : Jen Terrasa

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 8

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment makes a technical correction to correct the spelling of Fire Marshal's Office.)

Amendment 8 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

Amendment No. 8

(This amendment makes a technical correction to correct the spelling of Fire Marshal's Office.)

Strike "Marshall" and substitute "Marshal" in the following instances:

On page 17, in line 12

On page 25, in line 7; and

On page 29, in line 7.

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Jon Weinstein **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 9

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (Related to the special farm permit for composting facilities, this amendment:
1. Replaces a limitation on the type of vehicle used for product pickup with the requirement that on-site retail sales may not exceed 5% of the total yearly production;
2. Requires that a site layout that shows acreage, composting facility operational area, screening, and any relevant mitigation measures be provided as part of the permit application; and
3. Requires a permit holder to verify compliance with permi

Amendment 9 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 9

(Related to the special farm permit for composting facilities, this amendment:

1. Replaces a limitation on the type of vehicle used for product pickup with the requirement that on-site retail sales may not exceed 5% of the total yearly production;

2. Requires that a site layout that shows acreage, composting facility operational area, screening, and any relevant mitigation measures be provided as part of the permit application; and

3. Requires a permit holder to verify compliance with permit requirements after two years.)

On page 17, in line 22, strike "are limited to product pick up by farming vehicles,".

On page 17, in line 23, strike "pickup trucks or non-commercial vehicles" and substitute "

may not exceed 5% of the total yearly production, as reported to the Maryland Department of the Environment (MDE)".

On page 17, after line 24, insert:

"e. as part of the application process, the owner shall submit a site layout, which includes acreage, composting facility operational area, screening and any mitigation measures identified in the approved HSCD supplementary site evaluation. After two years, the owner shall provide documentation to DPZ proving compliance with the 5% retail sales requirement in section 128.0.I.9.c. and that the use remains in compliance with all other approval criteria.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017

Final Action: Passed

Moved By : Greg Fox

Seconded By : Mary Kay Sigaty

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 10

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (This amendment would remove all references to Tier II Large Composting Facilities from the RC and RR zoning districts).

Amendment 10 to Council Bill 60-2017

BY: Greg Fox Legislative Day No: 13

Date: October 2, 2017

Amendment No. 10

(*This amendment would remove all references to Tier II Large Composting Facilities from the RC and RR zoning districts*).

On the page 24, in line 19, strike the comma and substitute "and". On the same page, in line 20, strike "and Tier 2-large composting facilities".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Greg Fox **Seconded By** : Mary Kay Sigaty

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 11

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: (Related to conditional uses for composting facilities, this amendment:
1. Prohibits composting conditional uses on Maryland Agricultural Land Preservation Foundation (MALPF) easements;
2. Establishes a maximum use area in the RC and RR Zoning Districts of:
a. One acre; or
b. The maximum of five acres or 10% of the property for properties that abut an interstate;
3. Prohibits a composting facility conditional use to be granted with a natural wood waste recycling facility conditional use

---

Amendment 11 to Council Bill No. 60-2017

BY: Chairperson at the request Legislative Day No. 13

of the County Executive Date: October 2, 2017

and cosponsored by Greg Fox and

Mary Kay Sigaty

Amendment No. 11

(Related to conditional uses for composting facilities, this amendment:

1. Prohibits composting conditional uses on Maryland Agricultural Land Preservation Foundation (MALPF) easements;

2. Establishes a maximum use area in the RC and RR Zoning Districts of:

a. One acre; or

b. The maximum of five acres or 10% of the property for properties that abut an interstate;

3. Prohibits a composting facility conditional use to be granted with a natural wood waste recycling facility conditional use unless the property adjoins an interstate and vehicular access is within one mile of the interchange;

4. Removes proposed road frontage requirements to be consistent with item 3, above;

5. Amends setback requirements from existing dwellings from 300 feet to be 500 feet;

6. Amends setback requirements from property lines to be from residential lots and sets that distance at 300 feet; and

7. Corrects numbering.)

On page 24, in line 22, strike "or" and substitute a comma and, in the same line, after "dedicated" insert "<u>, other dedicated easement or Maryland Agricultural Land Preservation Foundation</u>".

On page 24, in line 27, strike "In" and substitute "<u>The maximum use area in</u>" and, in the same line, after

"districts" insert "is 1 acre or for properties that abut an interstate, the maximum use area is 5 acres or 10% of property, whichever is less. A composting facility conditional use shall not be granted to a property with an approved natural wood waste recycling facility conditional use unless the property adjoins an Interstate and vehicular access is within 1 mile of the interchange gore area, as measured along the nearest Public road right-of-way".

On page 26, strike lines 3 through 5, inclusive and in their entirety.

On page 26, in line 6, strike "i" and substitute "h".

On page 26, in line 8, strike "300" and substitute "500".

On page 26, in line 9, strike "property line" and substitute "a residential lot" and, in the same line, strike "200" and substitute "300".

On page 26, in line 27, strike "j" and substitute "i".

On page 27, in line 1, strike "k" and substitute "j".

On page 27, in line 4, strike "l" and substitute "k".

On page 27, in line 7, strike "m" and substitute "l".

On page 27, in line 11, strike "n" and substitute "m".

On page 27, in line 13, strike "o" and substitute "n".

On page 27, in line 16, strike "p" and substitute "o".

On page 28, in line 2, strike "q" and substitute "p".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017

Final Action: Passed as Amended

Moved By : Mary Kay Sigaty

Seconded By : Greg Fox

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 1 to Amendment 2

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment ensures consistency with natural wood waste recycling facilities with changes made for composting in Am 2 to CB 60. This amendment removes natural wood waste recycling accessory to a principal farm use as an accessory use in RC and RR and as an accessory use on ALPP purchased and dedicated easements.

On page 1, in line 14, after "facility." insert "Natural wood waste recycling is allowed as an Accessory Use if a permit from the Maryland Department of the Environment is not required.".

On page 2, in line 2, strike "and substitute:" and substitute a period.

On page 2, strike line 3 in its entirety.

On page 2, in line 5, strike "and substitute:" and substitute a period.

On page 2, strike line 6 in its entirety.

On page 2, in line 8, strike "and substitute:" and substitute a period.

On page 2, strike line 9 in its entirety.

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Jon Weinstein **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 1 to Amendment 3

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment restricts the location, size, sales, and trucks associated with natural wood waste recycling on certain farms if an MDE permit is required.

On page 3, in line 22, strike "5 acres" and substitute "1 acre" and strike "10%" and substitute "5%".

On page 3, in line 29, before the period, insert "and substitute: "The farm shall abut an interstate highway."."

On page 4, strike line 17 and substitute, "On page 30, strike lines 29 and 30 and substitute "E. The product of the recycling may not be sold at wholesale or retail. The recycling activity shall not involve any trucks that exceed 10,000 pounds gross vehicle weight.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Calvin Ball **Seconded By** : Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 1 to Amendment 5

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment would add animal-based food waste to the prohibition

On page 1, in the amendment explanation and lines 1, 4, and 7, after "mortalities" insert "and animal-based food waste".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Jen Terrasa **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 1 to Amendment 7

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment would require the additional specific practices for Composting Facilities

On page 1, in the explanation clause, after "requires" insert "Composting Facilities and".

On page 1, immediately before line 1, insert the following:

""On page 13, in line 8, before the period, insert ", subject to Section 128.0.I".

"On page 14, in line 23, before the period, insert ", subject to Section 128.0.I".

"On page 17, after line 24, insert:

"E. The operator of a Composting Facility shall:

(1) cover all piles; and

(2) place all piles on an impermeable base.""

On page 1, after line 15, insert the following:

"On page 28, after line 14, insert:

"R. The operator of a Composting Facility shall:

(1) cover all piles; and

(2) place all piles on an impermeable base.""

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017

Final Action: Failed

Moved By : Jen Terrasa

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 1 to Amendment 11

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment ensures that consistent terms are used

On page 1, in line 9, strike "adjoins" and substitute "abuts".

On page 2, in line 12, insert:

"On page 26, in line 17, strike "the property line" and substitute "residential lots.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Mary Kay Sigaty **Seconded By** : Greg Fox

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 2 to Amendment 2

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment restricts the location, size, sales, and trucks associated with natural wood waste recycling on certain farms if an MDE permit is not required

On page 2, in line 3, after "use" insert "if the farm abuts an interstate highway and the area used for the natural wood waste recycling does not exceed 1 acre or 5% of the farm, whichever is less. The product of the recycling may not be sold at wholesale or retail. The recycling activity shall not involve any trucks that exceed 10,000 pounds gross vehicle weight.".

Also on page 2, in line 6, after "use" insert "if the farm abuts an interstate highway and the area used for the natural wood waste recycling does not exceed 1 acre or 5% of the farm, whichever is less. The product of the recycling may not be sold at wholesale or retail. The recycling activity shall not involve any trucks that exceed 10,000 pounds gross vehicle weight.".

Also on page 2, in line 9, after "use" insert "if the farm abuts an interstate highway and the area used for the natural wood waste recycling does not exceed 1 acre or 5% of the farm, whichever is less. The product of the recycling may not be sold at wholesale or retail. The recycling activity shall not involve any trucks that exceed 10,000 pounds gross vehicle weight.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Calvin Ball **Seconded By** : Jen Terrasa

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 2 to Amendment 3

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment ensures that consistent terms are used.

On page 3, in line 25, strike "adjoins" and substitute "abuts".

On page 4, in line 8, insert:

"On page 30, in line 6, strike "the property line" and substitute "residential lots.".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Mary Kay Sigaty **Seconded By** : Jon Weinstein

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 2 to Amendment 5

Amendment Date: 10/02/2017 **Legislative Day**: 13

Comments: This amendment would prohibit animal mortalities and animal-based food waste in the RC and RR districts

On page 1, in the explanation clause, after the second "the" insert "RC, RR,".

On page 1, before line 1, insert the following:

"On page 3, in line 5, after "COMAR" insert ", excluding animal mortalities and animal-based food waste"."

On page 1, following line 6, insert the following:

"On page 17, in line 25, insert:

"e. No animal mortalities or animal-based food waste are processed on site."

"On page 24, in line 23, after "COMAR" insert ", excluding animal mortalities and animal-based food waste,"."."

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Failed

Moved By : Jen Terrasa **Seconded By** : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	No
Greg Fox	5	No
Jon Weinstein	1	No

Amendment 12

Amendment Date: 11/06/2017 **Legislative Day**: 14

Comments: (This amendment eliminates by-right composting in the M1 district, limits certain by-right composting facilities in the M2 district, and allows composting facilities as a conditional use in the M2 district in certain situations.)

Amendment 12 to Council Bill No. 60-2017

BY: Mary Kay Sigaty Legislative Day No. 14

Date: November 6, 2017

Amendment No. 12

(This amendment eliminates by-right composting in the M1 district, limits certain by-right composting facilities in the M2 district, and allows composting facilities as a conditional use in the M2 district in certain situations.)

On page 13, delete lines 7 and 8 in their entirety and, correspondingly, delete all of the renumberings beginning in line 9 on page 13 down through line 11 on page 14, and on page 14, in line 13, delete "38." and substitute "37.".

On page 14, in line 23, after "facilities" insert "tier 1 and", and after "Tier 2" insert "– small and tier 2 –" and after "COMAR" insert "if the parcel does not abut residentially zoned property".

On page 24, in line 20 strike "and".

Also on page 24, in line 21, after "for" insert "tier 1 and", strike "large" and substitute "small", and after "facilities," insert "and in the M-2 district for tier 1, tier 2-small, and tier 2-large composting facilities on parcels that abut residentially zoned property,".

Also on page 24, in line 26, strike "district" and substitute "and M-2 districts".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Mary Kay Sigaty **Seconded By** : Greg Fox

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Amendment 13

Amendment Date: 11/06/2017 **Legislative Day**: 14

Comments: (This amendment allows farmers with excess compost to sell the excess under specified conditions.)

Amendment 13 to Council Bill No. 60-2017

BY: Mary Kay Sigaty Legislative Day No. 14

Date: November 6, 2017

Amendment No. 13

(This amendment allows farmers with excess compost to sell the excess under specified conditions.)

On page 17, insert at line 25: "In accordance with paragraphs C. and D. of this subsection 9, a farmer who produces compost in excess of the amount that may be used on the farmer's farm in accordance with the nutrient management plan for the farm may sell the excess compost, provided there is no outstanding installment purchase agreement for an agricultural land preservation easement on the property, or, if there is such an installment purchase agreement, sales may not exceed 5% of the total yearly production, as reported to the Maryland Department of the Environment (MDE).".

Motions on Amendment

Motion to Approve

Motion Date: 11/6/2017 **Final Action**: Passed

Moved By : Mary Kay Sigaty **Seconded By** : Jon Weinstein

Name	District	Vote
Calvin Ball	2	No
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motions/Votes On Legislation

Motion to Table

Motion Date: 7/26/2017

Final Action: Tabled

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Remove From Table

Motion Date: 9/5/2017

Final Action: Removed from Table

Moved By : Jon Weinstein

Seconded By : Mary Kay Sigaty

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Extend Life

Motion Date: 9/5/2017

Final Action: Life Extended

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Table

Motion Date: 9/5/2017

Final Action: Tabled

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Remove From Table

Motion Date: 10/2/2017

Final Action: Removed from Table

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Extend Life

Motion Date: 10/2/2017

Final Action: Life Extended

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Table

Motion Date: 10/2/2017

Final Action: Tabled

Moved By : Jon Weinstein

Seconded By : Calvin Ball

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	Yes
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Remove From Table

Motion Date: 11/6/2017

Final Action: Removed from Table

Moved By : Mary Kay Sigaty

Seconded By : Greg Fox

Name	District	Vote
Calvin Ball	2	Yes
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Motion to Approve

Motion Date: 11/6/2017

Final Action: Passed as Amended

Moved By : Mary Kay Sigaty

Seconded By : Greg Fox

Name	District	Vote
Calvin Ball	2	No
Jen Terrasa	3	No
Mary Kay Sigaty	4	Yes
Greg Fox	5	Yes
Jon Weinstein	1	Yes

Documents

Amendment 10 - Amendments

Amendment 11 - Amendments

Amendment 12 - Amendments

Amendment 13 - Amendments

Amendment 1 to Amendment 11 - Amendments

Amendment 1 to Amendment 2 - Amendments

Amendment 1 to Amendment 3 - Amendments

Amendment 1 to Amendment 5 - Amendments

Amendment 1 to Amendment 7 - Amendments

Amendment 1 - Amendments

Amendment 2 to Amendment 2 - Amendments

Amendment 2 to Amendment 3 - Amendments

Amendment 2 to Amendment 5 - Amendments

Amendment 2 - Amendments

Amendment 3 - Amendments

Amendment 4 - Amendments

Amendment 5 - Amendments

Amendment 6 - Amendments

Amendment 7 - Amendments

Amendment 8 - Amendments

Amendment 9 - Amendments

CB60 and Proposed Amendment Comparison - Supporting Documents

CB60 redline amendments - Supporting Documents

CB60 worksession powerpoint w redline reference - Supporting Documents

ZRA 180 Petition - Supporting Documents

ZRA 180 Planning Board Recommendation - Supporting Documents

ZRA 180 Technical Staff Report - Supporting Documents

CB60-2017 (ZRA 180) - As Introduced

9.11 Public Hearing Testimony - J Allen - Supporting Documents

9.11 Public Hearing Testimony - Supporting Documents

Administrative Testimony - Supporting Documents

Dr. Cole Presentation - Supporting Documents

Dayton Rural Preservation Society 6.25.17 - Supporting Documents

Fire Code Information presented at Work Session - Supporting Documents

Monthly Meeting presentation - Supporting Documents

Public Hearing Testimony - Supporting Documents

written testimony 10.16 - Supporting Documents

Dr. Velculescu presentation - Supporting Documents

written testimony 10.1-10.15 - Supporting Documents

written testimony 10.17-10.23 - Supporting Documents

written testimony 10.24-10.29 - Supporting Documents

written testimony 10.30-11.03 - Supporting Documents

written testimony 11.03-11.06 - Supporting Documents

written testimony 6.26-6.30 - Supporting Documents

written testimony 6.30-7.10 - Supporting Documents

written testimony 7.10-7.13 - Supporting Documents

written testimony 7.13-7.17 - Supporting Documents

written testimony 7.17 - Supporting Documents

written testimony 7.18-7.27 - Supporting Documents

written testimony 8.07-9.04 - Supporting Documents

written testimony 9.13-9.15 - Supporting Documents

written testimony 9.19-9.28 - Supporting Documents

written testimony 9.7-9.11 - Supporting Documents

written testimony Bonner - Supporting Documents

CB60-2017 - Final

CB60-2017public1 - Supporting Documents

CB60-2017public2 - Supporting Documents

CB60-2017public3 - Supporting Documents

CB60-2017public4 - Supporting Documents

CB60-2017public5 - Supporting Documents

CB60-2017public6 - Supporting Documents